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# RESOURCES OVERVIEW AND SCRUTINY COMMITTEE

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**Tuesday, 16th July, 2024**

**Present:** Councillor Stephen Button (in the Chair),  
Councillors Paul Cox (Vice Chair), Bernard Dawson MBE, Andrew Clegg,  
Judith Addison, Heather Anderson and Josh Allen  
Co-optees: Paul Cox (Vice Chair), Bernard Dawson MBE, Andrew Clegg,  
Judith Addison, Heather Anderson and Josh Allen

**In Attendance:** Councillors

**Apologies:** Councillors Jodi Clements

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## **77 Apologies for absence, Substitutions, Declarations of Interest and Dispensations**

An apology for absence was submitted on behalf of Councillor Clements. Councillor Anderson acted as substitute representative for Councillor Clements.

There were no interests or dispensations declared at the meeting.

The Committee was informed of one Membership change to the Committee, which had been approved, with immediate effect, at a Full Council held on 11<sup>th</sup> July, which had resulted in Councillor Josh Allen replacing Councillor Steven Smithson.

## **78 Minutes of Last Meeting**

The Minutes of the last meeting of the Resources Overview & Scrutiny Committee held on 19<sup>th</sup> March 2024 were submitted for approval as a correct record.

**Resolved** - **That the Minutes be received and approved as a correct record.**

## **79 Overview and Scrutiny Work Programmes**

The Scrutiny and Policy Officer submitted a report requesting that the Resources Overview & Scrutiny Committee gave consideration to and approved the work programme for 2024/25. The Committee was advised of the process for agreeing the work programme as set out in the Overview and Scrutiny procedure rule C6(a). Thirty-five requests had been received as items to be considered for Scrutiny and these had been discussed by the Chairs and Vice-Chairs of the Scrutiny Committees before draft work programmes were submitted to Cabinet for comment. There had been no comments received from Cabinet.

**Resolved** - **That the work programme for the Resources Overview & Scrutiny Committee 2024-25 be approved.**

## **80 Performance Review Report**

The Policy Manager submitted a report relating to a Performance Management Review. He requested that the Committee:

- Review the corporate performance mechanism and create a more robust performance monitoring procedure;
- Look at how the Council uses performance data to inform and make better decisions;
- Identify what 'good' performance looks like to help strengthen the current performance management framework and process;
- Understand productivity barriers impacting performance; and
- Consider and put forward recommendations for a new approach.

He explained that the Office for Local Government (Oflog) had requested all Local Authorities improved management information as well as being more accountable. He gave details of how data was collected and measured within the authority. Local Authority Data Explorer (LADE) was the online web platform for this data with the RAG rating status being used to indicate data showing areas of concern. Examples of productivity barriers impacting performance were listed in the report.

In accordance with Oflog's request, the Council's mechanism for monitoring performance had been reviewed and a new four tiered approach (Tier 1 to 4) to identify performance information had been proposed. The four types of performance indicators were recommended as follows:

- Tier 1 – corporate headline, direct involvement KPI indicators (external)
- Tier 2 – Indirect Hyndburn wide indicators (external)
- Tier 3 – Corporate Strategy Outcomes (external)
- Tier 4 – Service Areas KPIs (part of Service Plans (Internal/Portfolio Holder)

He reported that the accumulation of data, including KPIs, was important to use as measures for the performance of the Council and as an early indication of problems but should be used as a whole rather than individually. He requested the Committee to give consideration to the types of data collected, including key performance indicators (KPIs). He warned that comparison data with other authorities would require at least 2 years of data and would need to be similar in value. He informed the Committee of the importance of ensuring that performance management was useful and be productive. He pointed out that the data collated should be able to show productivity and flag up problems early enough to enable action for rectification. This data should also be transparent on the Council's website. Members of the Committee were requested to give consideration to improving the mechanism for reporting performance data. A number of questions were submitted to Members of the Committee in advance of the meeting which were responded to within the presentation.

Members of the Committee submitted the following suggestions:

- All Councils should use a standard piece of software to measure performance?
- Reference was made to the measure SE3 – fly tipping incidents and a request for a KPI for the number of prosecutions.
- Performance Management should be spotlighted on Council websites so that residents could easily see what was working and areas of concern.
- Increases in house building, which would affect house prices, should be monitored.
- Direction of travel should be marked up in a different colour.
- Concern that highlighting the RAG rating status in colour may be a problem to people who are colour blind.

- That the recording of household waste recycling rates could not be comparable with other Councils due to the different environments of each local authority.

The Policy Manager thanked Committee Members for their feedback and reported that a report would be submitted to Cabinet.

- Resolved**
- (1) That the report be noted;**
  - (2) That the Committee endorses and supports the approach being taken to deliver a new performance mechanism;**
  - (3) Supports the new corporate approach and structure (as outlined in the report) subject to the comments for consideration, submitted by Members of the Committee, as listed above;**
  - (4) That the Committee notes that the finding of the review will be reported to Cabinet; and,**
  - (5) That a Performance Annual Report be created and all Tier 1 to 3 KPIs including key achievements, be published.**

## **81 Leisure Services Review**

The Cabinet Portfolio Holder for Leisure Transformation, Councillor Noordad Aziz, presented a report on the work being undertaken on the Leisure Delivery Model Review. He reported that the Council was reviewing the Leisure Delivery Model in the Borough against the backdrop of significant and unexpected energy price increases, increased employee costs and the impact of the pandemic, which had led to its current provider, Hyndburn Leisure (the Trust) requesting financial support from the Council over the last two financial years.

The Executive Director of Resources outlined the background to the Hyndburn Leisure Trust being appointed to provide Leisure Services on the Council's behalf. He explained that the annual management grant from the Council to the Trust had been reduced year upon year with the Trust being able to operate with no Council grant fund in 2021/22. However in 2022, a number of unforeseen factors had impacted the financial circumstances of the Trust and had, since, required grant funding from the Council in order to keep services running. As such the Trust's business model was revised and had to become much more commercial with a stronger emphasis on the delivery of community focused health and wellbeing services. He reported that the Council considered the existing operating model to be efficient and expected energy prices to fall, however, as it had been over twenty years since the current delivery arrangements had been set up, a review of the arrangements had been agreed. The Council invited three consultancy firms to quote for the work on the review, obtained two responses and selected Max Associates as its preferred consultant to lead on the review. The review is expected to be conducted over a 12 month period with an expected final report to Cabinet in September 2024. He reported that a Panel consisting of senior officers and cross party representatives had determined an evaluation criteria in selecting the consultancy firm to carry out the review.

A number of questions were submitted by Members of the Committee in advance of the meeting, responded to as follows:

- Use of the building operated by the Leisure Trust  
Each building was considered an asset and the aim was to ensure that all buildings were made more useable and this would be part of the review.
- Provision of a list of public buildings and their uses  
A list of public buildings could be provided to the Committee detailing the condition of the buildings.
- Responsibility for external maintenance of the buildings and could all public building leases be standardised.  
Terms and conditions of building leases were part of the original agreement but this issue would be part of the review.
- Why are terms of condition for Hyndburn Leisure and Hyndburn Borough Council staff not aligned when they use the same payroll system?  
They are two separate organisations with different terms and conditions of employment but this would form part of the review.
- Eco schemes carried out on public buildings including the Leisure Centre in order to save energy and money. Why has money not been saved and what could happen to increase savings through energy reduction.  
Clarification was given that the 70% savings had been for CO2 omissions and not energy costs and with decarbonisation and solar panels the adaptations would be worthwhile in the long term.
- Consideration of a merger with another Trust – would this be beneficial financially?  
An explanation around the challenges faced by the Leisure industry was referred to and that this would be an area the review would consider.

Further questions and comments were submitted by Members at the meeting in respect of the following issues:

- To ensure that there was Council representation on the Trust Board and that communication of financial information was fed back to the Council after concern that Members of the Council had not been kept informed of the Trust's progressive lack of financial dependence.
- A request for all Members to be consulted on the review
- Concern about the under-utilisation of public buildings operated by the Leisure Trust
- That the review included consideration of the use of finances (including ensuring solvency), different delivery models and the standardisation and modernisation of lease terms for all public buildings to ensure better utilisation.
- That the Leisure Review report could also be submitted to Full Council for whole member consideration, as well as to Cabinet for approval.

Having also received a question from a resident, Mr. Peter Shaw, the Chair permitted him to speak at the meeting in relation to the employment of Max Associates to write the Leisure Delivery Model Review. He referred to reference being made to Section 3 of the Strategic Operations Planning Module in 2012 (which had provided information for the Leisure Transformation Project) and intimated that this had made the independence of Max Associates questionable and therefore suggested that there had been a conflict of interest. The Cabinet Portfolio Holder for Transformation, Education and Skills agreed to take Mr. Shaw's comments on board in respect of ensuring that any future recommendations made by Max Associates were given thorough consideration before being introduced.

**Resolved** - **That the report and comments submitted by members of the Committee be noted.**

## 82 Exclusion of the Public

**Resolved**

- That, in accordance with Section 100A(4) Local Government Act 1972, the public be excluded from the meeting during the following item, when it was likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that there would otherwise be disclosure of exempt information within the Paragraph at Schedule 12A of the Act specified at the item.

**83 Nominations of Co-optees**

*Exempt information under the Local Government Act 1972, Schedule 12, Paragraph 1 – Information relating to any individual*

The Scrutiny and Policy Officer submitted a report requesting the Committee considers two nominations for co-optee members on the Resources Overview and Scrutiny Committee. The Committee was informed that they could have a maximum of four co-optees. Two nominations had been received in advance of the meeting from Councillor Button who had nominated Tim O’Kane and Richard Downie. These were accepted by the Committee.

Councillor Allen suggested that a representative from Hyndburn Youth Zone was co-opted onto the Committee and that he would submit this proposal at the next meeting for consideration.

**Resolved**

- That the nominations for Tim O’Kane and Richard Downie on the Resources Overview & Scrutiny Committee for a period of 2 municipal years (2024-25 & 2025-26) be accepted and recommended to Full Council for approval. Two vacancies for co-optees remained.

Signed:.....

Date: .....

Chair of the meeting  
At which the minutes were confirmed